

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

JAN 17 2019

BY
DEPUTY _____

UNITED STATES OF AMERICA

v.

CHARLES ORANGE

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§
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§
§

NO. 6:19-CR-04
JUDGE RWS/KNM

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT 1

Violation: 18 U.S.C. §§
2252A(a)(5)(B) and 2252A(b)(1)
(Possession of Child Pornography)

On or about December 20, 2018, in the Eastern District of Texas, and elsewhere, the defendant, **Charles Orange**, having been previously convicted of an offense under the laws of the State of Texas relating to sexual abuse involving a minor, namely Indecency with a Child, in violation of Tex. Penal Code § 21.11(a)(2), did knowingly possess material that contained an image of child pornography, as defined in 18 U.S.C. § 2256(8), which had been mailed, and which had been shipped and transported in interstate and foreign commerce by any means, including by computer, and which was produced using materials that had been mailed, and which had been shipped and transported in interstate and foreign commerce by any means, including by computer.

All in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and 2252A(b)(1).

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 18 U.S.C. § 2253

1. The allegations contained in Count 1 of this indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 2253.

2. Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in violation of 18 U.S.C. § 2252A, the defendant, **Charles Orange**, shall forfeit to the United States of America:

- a. Any visual depiction described in 18 U.S.C. § 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense; and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offense.

The property to be forfeited includes, but is not limited to, the following:

A Samsung Galaxy Grand Prime cell phone, model #SM-G530T, (IMEI: 359128/06/055319/1).

3. If any of the property described above, as a result of any act or omission of

the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b) and by 28 U.S.C. § 2461(c).

4. By virtue of the commission of the offenses alleged in this indictment, any and all interest the defendant has in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 18 U.S.C. § 2253.

All pursuant to 18 U.S.C. § 2253 and the procedures set forth at 21 U.S.C. § 853, as made applicable through 18 U.S.C. § 2253(b).

A TRUE BILL

M.F.

GRAND JURY FOREPERSON

01/16/19

Date

JOSEPH D. BROWN
UNITED STATES ATTORNEY

Nathaniel C. Kummerfeld

NATHANIEL C. KUMMERFELD
ASSISTANT UNITED STATES ATTORNEY

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NO. 6:19-CR-____

JUDGE _____

NOTICE OF PENALTY

COUNT 1

VIOLATION:

18 U.S.C. §§ 2252A(a)(5)(B) and (b)(1)
Possession of Child Pornography

PENALTY:

Imprisonment of not less than ten (10) years nor more than
twenty (20) years and a fine of \$250,000 to be followed by a
term of supervised release of not less than five (5) years to
life.

SPECIAL ASSESSMENT: \$100.00 pursuant to 18 U.S.C. § 3013 and \$5,000 pursuant to
the Justice for Victims of Trafficking Act of 2015, 18 U.S.C.
§ 3014(a).